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Human Rights Office
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Date: 7/12

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Date 7/11/77
Initial WTA

MEMORANDUM OF CONVERSATION

Grenada
June 15, 1977

Participants

US

The Secretary
Mr. Habib
Ambassador Todman
Ambassador McGee
Assistant Secretary Carter
Stephen H. Rogers, ARA/ECP
(notetaker)

BRAZIL

Foreign Minister Silveira
Ambassador Cavalcanti
Minister Medeiros
Counselor Nogueira

DISTRIBUTION: S,D, P, S/P, NSC, S/S, USOAS, T, OES, ARA, D/HA,
Subjects: Students' letter given to Mrs. Carter; D/LOS
Secretary's visit to Brazil; U.S.-Brazilian
memorandum of understanding; Cuba; Treaty
on illicit payments; Law of the Sea; Human
rights; "Ambiguity" in U.S. Policies

Students' Letter. Foreign Minister Silveira said the problem with the letter given to Mrs. Carter in Brazil was that it was unsigned, but he denied that he had suspected it was written by Americans. Ambassador Todman said it was a worldwide phenomenon that people who wanted to make a point on human rights looked to the US.

Vance Visit. The Secretary proposed he visit Brazil in the last two weeks of October, following the UN General Assembly. Silveira agreed. The Secretary said we would confirm it. The Foreign Minister said his mentioning July or August publicly was not an attempt to force a date but rather reflected his understanding of what the Secretary had said.

Memorandum of Understanding. The Secretary said he would write formally to confirm that the MOU remains in force. He agreed with Silveira that he was the one who raised the question, not the Brazilians. Silveira said the MOU was important as a method of carrying things out but did not prejudice anything. The Secretary proposed that the trade sub-group get together early, which Silveira agreed to.

Silveira raised the question of the meetings of policy planning officials. He and the Secretary agreed that

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it would be useful to hold such a meeting. Silveira referred to previous exchanges of papers, for example on African topics. The exchanges did not involve governments taking firm positions, and they were more valuable for that. He noted the Brazilian practice of making principal policy decisions known to the US and others and commented that the US had been doing that concerning Cuba.

Cuba. Silveira said he understood the US approach to Cuba and had nothing against it. Brazil, however, has abstained on Cuba. It could not be in favor but if it opposed others would hide behind Brazil. Brazil had to consider the small countries that were afraid of Cuba, with some justification. Cuba is giving financial support even in the less populated areas of northern Venezuela. There was no such Cuban activity in Brazil, however.

The Secretary referred to the 10 US prisoners Cuba had just released. Silveira discussed his familiarity with Cuba based on duty there in 1945-49. He said conditions were not as bad then as has been painted. He thought many, especially in Central America, that voted in favor of Cuba (presumably in the OAS in 1975) would not do so now because of their concern about what Cuba would do with the troops now in Angola.

Illicit Payments. The Secretary noted the proposal had received strong support at the Summit Meeting and said he hoped ECOSOC would decide in favor of it. Silveira said the Brazilian position was only that we must have a balanced position toward those that are corrupted and those that corrupt. At the Secretary's urging, it was agreed that the two delegations would work together on this subject.

Law of the Sea. Secretary Vance proposed that the US and Brazilian representatives to the negotiations consult. Silveira said Brazil felt the seabed problem could not be solved without a resolution also of the other problems. Brazil had originally thought the issue should be treated separately, but now it was too late.

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Secretary Vance said if we did not solve the problem internationally Congress would authorize US private enterprise to begin operations. The critical point was now. It would be sad to see the good work of previous LOS sessions lost.

The Secretary proposed again that Amb. Richardson and the Brazilian delegate consult in New York. Silveira did not object.

Silveira noted the Brazilian desire for technology for deepsea exploitation. Under Secretary Habib said the US was willing to share its technology. But if the developing countries did not take advantage of the offer the US would go ahead.

The Secretary noted that intelligence had shown the Soviets were preparing to move into deepsea operations; Habib noted the Soviets would not be generous with their technology. Silveira acknowledged that Brazil had no choice but to get along with the United States. He said he always trusted Americans because, though they may say "no" now, they change their minds. He used IDB creation and the 200-mile limit as examples. The Secretary agreed that we change our minds when we are wrong.

Human Rights. The Secretary asked where the Foreign Minister saw the meeting coming out on the human rights question. Silveira said Brazil supported the Inter-American Human Rights Commission as it is and asked what the US was proposing. The Secretary said we wanted to strengthen it and increase its funding. Silveira replied that we would have no organization at all if we kept giving additional funds to each specialized section of the organization. The Secretary insisted that to do its work properly the IAHRC needed more staff.

Silveira said we needed to make the Commission more serious. Pressed by Ambassador Todman, he said it is becoming more serious but it should be very selective about its sources of information. They should be neutral. If that could be done, Brazil would support it. But he was doubtful that that was possible at this time. One Commission source is Amnesty International, which everyone is afraid to attack for fear of losing an election.

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The Secretary suggested a better and stronger Commission staff could conduct its own investigations instead of depending on such sources of information.

Silveira discussed at length the problem that Brazil's federal system causes for Brazilian cooperation on human rights. Brazilian states are more autonomous than those in the U.S. The Federal Government would not be able to impose a Human Rights Commission investigation on a state.

The Secretary said no governor in the United States would oppose such an investigation. Silveira said that was not the case in Brazil. He could also envisage a situation in which a southern government in the United States would have opposed such an investigation in the past. When public opinion changes, it will become possible in Brazil.

Secretary Vance discussed the basic civil rights laws of the U.S. Under Secretary Habib asked whether Brazil had a human rights clause in its constitution. Silveira acknowledged that it did but restated the political objections. He said Brazilians were suspicious of morality claims. He knew all colonization in the past was based on moral issues - spreading the Christian religion, civilizing African countries, and so forth. The Brazilian public just would not accept the human rights convention, and the Brazilian Government had no flexibility. He called the U.S. the most advanced country as a political democracy, though not as a racial or economic democracy. But Brazil was not in that position. Nobody was killing anybody, there were no guerrillas and no religious wars in Brazil, but people kept claiming there were such things.

Habib said that we believe that so much that we wanted Brazil to help strengthen human rights cooperation. Silveira said Brazil would only sign the Convention when it could carry out its provisions, unlike some countries. He questioned whether the Caribbean countries would be willing to push human rights in Africa. If Brazil accepted visits by the Commission, the Commission would see thousands of good things but would give publicity only to the one or two other things it saw.

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Secretary Vance said the US was willing to take that chance for itself. Silveira answered that the US was in a position to "digest social crisis" (though perhaps not future political crises). Brazil was not.

The conversation then led to the question of the two briefly imprisoned priests whom Mrs. Carter saw in Recife. Silveira described at length his role and the false information that had been spread about the incident, including (he said) a misleading statement to the press by the US Consulate.

"Ambiguity" in U.S. Policies. Silveira, speaking very frankly, cited this as one example of the ambiguity in the US approach to Brazil. Another example was the misunderstanding during Mrs. Carter's visit in which there was confusion between underwater and underground nuclear explosions. A third related to a "non-paper" delivered by the US Embassy; Silveira was surprised when the US complained about receiving no reply to the "non-paper."

The Secretary expressed the hope that Brazil would participate in the fuel cycle evaluation. He thought it very important. Silveira said the British had asked them. He went on to another example of "ambiguity": the human rights note was delivered to a head of division late on a Friday afternoon. Silveira was up until 2:00 am talking to the President and otherwise deciding on how to respond. The denunciation of the 1952 Military Cooperation Treaty was based on the ambiguity in this situation. He noted the two versions of the report that were made available. Then yesterday the House of Representatives had said it would not appropriate funds for something the Brazilian had not asked for and in fact had denounced. He considered that a gratuitous political act that he could not forgive. (He agreed with Under Secretary Habib, however, that he could forget it.) He noted that the report was not a human rights report but a political report without human rights elements. He said we must abolish this ambiguity. The Secretary agreed and said he would take a look at the situation.

USOAS:SRogers:nr/sab
June 29, 1977

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